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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 JAN 23 AM 11:30

Magistrate Docket No. '08 MJ 0202
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Silverio MEDEROS-Valdez,

Defendant

Magistrate Docket No.

COMPLAINT FOR VIOLATION OF:Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **January 21, 2008** within the Southern District of California, defendant, **Silverio MEDEROS-Valdez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

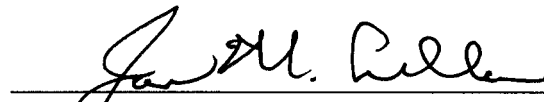
And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **23rd** DAY OF **JANUARY** **2008**.



Jan M. Adler

UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Silverio MEDEROS-Valdez

PROBABLE CAUSE STATEMENT

On January 21, 2008, Border Patrol Agent J. Licon, Jr. was performing line watch duties in the Chula Vista Border Patrol Station's area of responsibility. Agent Licon was notified of an intrusion alert device activation and responded to an area known as Well Draw. This area is approximately three miles east of the Otay Mesa Port of Entry, and one mile north of the United States/ Mexico International Boundary. Agent Licon found two people hiding in brush. He then identified himself as a United States Border Patrol Agent. Both people, including one later identified as the defendant **Silverio MEDEROS-Valdez**, admitted to being citizens and nationals of Mexico not in possession of documents that would allow them to enter or remain in the United States legally. At approximately 7:30 P.M. Agent Licon placed both aliens under arrest and had them transported to the Chula Vista Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **March 24, 2003** through **Calexico, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.